



SDMS DocID

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Pennsylvania Department of Environmental Protection

909 Elmerton Avenue
Harrisburg, PA 17110-8200
November 3, 2006

Southcentral Regional Office

717-705-4705
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Mr. Mitch Cron (3HS22)
Remedial Project Manager
US EPA Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

Re: Focused Feasibility Study
Bally Groundwater Contamination Site
Bally Borough, Berks County

Dear Mr.Cron:

The Department has reviewed the Focused Feasibility Study for the Bally Groundwater Contamination Site.

The following are the Department's ARARs:

The Pennsylvania Constitution, Article 1, Section 27

"The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment."

Land Recycling and Environmental Remediation Standards Act, the Act of July 18, 1995, P.L. 4, No. 1995-2, 35 P.S. Section 6026.101 et seq. (Act 2)

Chapter 250, Administration of Land Recycling Program

These regulations establish general provisions, cleanup standards, requirements for special industrial areas, risk assessment requirements, and requirements for demonstrating attainment of cleanup standards.

Subchapter A - General Provisions

Section 250.3 - Management of Contaminated Media
Section 250.9 - Interaction with Other Environmental Statutes
Section 250.10 - Measurement of Regulated Substances in Media

Subchapter C - Statewide Health Standards

- Section 250.301 - Scope
- Section 250.302 - Point of Compliance
- Section 250.303 - Aquifer Determination
- Section 250.304 - MSCs for Groundwater
- Section 250.305 - MSCs for Soil
- Section 250.308 - Soil to Groundwater Pathway Numeric Values
- Section 250.309 - MSCs for Surface Water
- Section 250.311 - Evaluation of Ecological Receptors

Subchapter F - Exposure and Risk Determinations

- Section 250.602 - Risk Assessment Procedures
- Section 250.603 - Exposure Factors for Site-Specific Standards
- Section 250.604 - Fate and Transport Modeling for Exposure Assessments
- Section 250.605 - Sources of Toxicity Information
- Section 250.606 - Development of Site-Specific Standards

Subchapter G - Demonstration of Attainment

- Section 250.702 - Attainment Requirements
- Section 250.704 - Attainment Requirements for Groundwater
- Section 250.706 - Attainment of Surface Water and Air Quality Standards
- Section 250.707 - Statistical Tests

Appendix A

Table 1 - Medium-Specific Concentrations for Organic Regulated Substances in Groundwater

Table 2 - Medium-Specific Concentrations for Inorganic Regulated Substances in Groundwater

The Clean Streams Law, Act of June 22, 1937, P.L. 1987, No. 394, as amended, 35 P.S. Section 691.1 et seq.

To preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal, and aquatic life, and for industrial consumption.

Chapter 16 - Water Quality Toxics Management Strategy

Section 16.1 - General

Section 16.11 - Toxic Substances

Section 16.21 - Long-Term and Short-Term Concepts (Aquatic Life Criteria)

Section 16.22 - Criteria Development (Aquatic Life)

Section 16.23 - Sources of Information (Aquatic Life Protection)

Section 16.24 - Metals Criteria

Section 16.32 - Threshold Level Toxic Effects ((Human Health Based Criteria)

Section 16.33 - Nonthreshold Effects (cancer)

Section 16.51 - Table (Appendix A, Table 1 - Levels for NPDES Effluent Limits)

Section 16.102 - Analytical Methods (Appendix A, Table 2)

Chapter 92 - National Pollutant Discharge Elimination System

Sections 92.3 - Permit Requirement (must meet substantive requirements)

Section 92.7 - Reporting of New or Increased Discharges

Section 92.9 - Duration of Permits

Chapter 93 - Water Quality Standards

Section 93.2 - Scope

Section 93.3 - Protected Water Uses

Section 93.4 - Statewide Water Uses

Section 93.5 - Application of Water Quality Criteria to Discharge of Pollutants

Section 93.6 - General Water Quality Criteria

Section 93.7 - Specific Water Quality Criteria

Section 93.8 - Development of Aquatic Life Water Quality Criteria

Section 93.8a - Toxic Substances (reference Chapter 16)

Section 93.9 - Designated Water Uses and Water Quality Criteria

Pennsylvania Safe Drinking Water Act, Act of May 1, 1984, P.L. 206, 35 P.S. Section 721.1 et seq.

To provide an adequate supply of safe, pure drinking water essential to the public health, safety, and welfare.

Chapter 109 - Safe Drinking Water

Section 109.201 - Authority

Section 109.202 - State MCLs and Treatment Technique Requirements

Section 109.301 - Monitoring Requirements
Section 109.401 - Public Notification
Section 109.501 - Permit Requirement
Section 109.601 - Design and Construction Standards
Section 109.701 - System Management Responsibilities
Section 109.801 - Laboratory Certification
Section 109.901 - Variances and Exemptions Issued by the Department
Section 109.1001 - Bottled Water and Vended Water System Retail Water
Facilities and Bulk Water Hauling
Section 109.1101 - Lead and Copper

**Dam Safety and Encroachments Act, Act of 1978, P.L. 1375, as amended,
32 P.S. Section 693.1 et seq.**

Chapter 105 (25 Pa. Code Section 105.1 et seq.) - This Chapter sets forth provisions for the regulation and supervision of dams, reservoirs, water obstructions, and encroachments in waters of the Commonwealth, including wetlands.

**Underground Utility Line Protection Act (P.L. 852, No. 287), as amended
by the Act (P.L. 1567, No. 199) of November 30, 2004.**

An act to protect the public health and safety by preventing excavation or demolition work from damaging underground lines used in providing electricity, communications, gas, oil delivery, oil product delivery, sewage, water, or other service.

**Land Recycling Program Technical Guidance Manual - Section IV.A.4.
Vapor Intrusion into Buildings from Groundwater and Soil under the
Act 2 Statewide Health Standard is To Be Considered (TBC).**

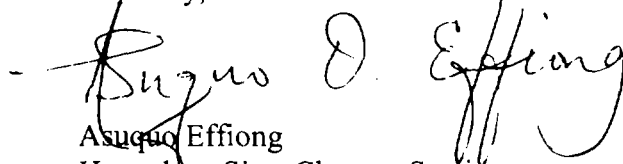
The NPDES permit is a Regulatory Requirement; it is not a To Be Considered (TBC). Section 9621(e)(1) of CERCLA states that no federal, state, or local permit shall be required for the portion of any removal or remedial action conducted entirely onsite, where such remedial action is selected and carried out in compliance with this section. The NPDES discharge will not be onsite; therefore, the permit waiver provision of CERCLA will not apply. All permit requirements will apply. The new public water supply will not be a portion of the remedial action conducted entirely onsite. All permit requirements will apply.

- ° On Page 13, Paragraph 2: The statement should read: . . . the PADEP National Pollutant Discharge Elimination System (NPDES) permit establishes an applicable action-specific discharge level of 112 ug/L as the average monthly discharge limitation for 1,4-dioxane . . .

- On Page 14, Paragraph 3: . . . the requirements of the Delaware River Basin Commission are applicable to installation and permitting of a new public water supply well . . .
- On Page 23, Paragraph 2, Section 4.2.2.2 Compliance with ARARs
- Arcadis should remove "TBCs" from this paragraph. For an example, the first sentence should read: "This alternative complies with the regulatory requirements for drinking water and discharge to surface water. A permit from the Department's Water Supply Management Section to operate the new public water supply well is an applicable regulatory requirement. Monitoring of 1,4-dioxane effluent concentrations will be conducted in accordance with permit requirement."

If you have any questions, please call me at 717-705-4853.

Sincerely,


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Hazardous Sites Cleanup Section
Environmental Cleanup Program

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